

U.S. Serial No. 10/658,277  
Inventor: VARNEY  
Title: HEAT EXCHANGER OPTIMIZATION  
PROCESS AND APPARATUS  
Response to Office action of June 3, 2005

5

**REMARKS**


Applicant has amended the claims to re-write Claim 15 in independent form by including all the limitations of the base claim. Claims 19 to 26 and 33 have been amended to depend from Claim 15 as amended. The remaining claims 1-14, 16, 17, 18, 27-32 and 34 have been canceled and may be pursued in one or more continuations.

Claims 1-4, 16, 17, 18, 27, and 30-34 have been rejected under 35 USC 103 as being unpatentable over Whitmore in view of Lew. In light of the cancellation of claims 1-4, 16, 17, 18, 27, 30-32 and 34 and the amendment of claim 33 to depend on claim 15, this rejection is moot.

Claims 15 and 19-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has amended the claims as suggested by the examiner. The amendment brings the application into condition for allowance and therefore may be properly entered after the final rejection. No further examination or search is required. Claim 33 has also been amended to depend on claim 15.

Applicant respectfully requests withdrawal of the rejection and allowance of the application.

Respectfully submitted and signed on Dec 30/05

  
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